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Attorney for Plaintiff, FRANCINE LEONARD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

FRANCINE LEONARD, Plaintiff, v. CAROLYN W. COLVIN, Commissioner of Social Security, Defendant	CIVIL NO. 3:15-CV-3536- SK STIPULATION AND ORDER APPROVING SETTLEMENT OF ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT
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IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SIX THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS AND 00/CENTS (\$6,750.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920,] 2412(d).

After the Court issues an order for EAJA fees and expenses to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees and expenses [and costs] to Plaintiff's attorney. Pursuant to Astrue v. Ratliff, – S.Ct. –, 2010 WL 2346547 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees, expenses are subject to any offset allowed under the United States Department of the Treasury's Offset Program.

1 After the order for EAJA fees and expenses is entered, the government will determine whether
2 they are subject to any offset.

3 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
4 determines that Plaintiff does not owe a federal debt, then the government shall cause the
5 payment of fees, expenses and costs to be made directly to Katherine Siegfried, pursuant to the
6 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees
8 and expenses, and does not constitute an admission of liability on the part of Defendant under the
9 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any
10 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees
11 and expenses in connection with this action.

12 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act
13 attorney fees under 42 U.S.C. § 406, subject to the provisions of the EAJA.

14 Respectfully submitted,

15 Dated: 05/09/2016

16 /s/ Katherine Siegfried
17 KATHERINE SIEGFRIED
18 Attorney for Plaintiff
19 FRANCINE LEONARD

20 Dated: 05/09/2016

21 BRIAN STRETCH
22 United States Attorney
23 DONNA COLVERT
24 Regional Chief Counsel, Region IX
25 Social Security Administration

/s/ Scott Borrowman
SCOTT BORROWMAN
Special Assistant United States Attorney
Attorneys for the Defendant

1 **IT IS SO ORDERED:**

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3 **Dated: __May 10, 2016__**
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United States Magistrate Judge Sallie Kim